

REMARKS

The specification has been amended to adopt proper U.S. format, e.g. underlining "et al." and changing "ug" to " μ g", as well as to correct obvious typographical errors. The specification has also been amended at page 13, line 25, to reflect the proper nomenclature of the restriction enzyme, BglII, and at page 18, line 3, to properly delineate the D region (between amino acids 147 and 196) rendering the text consistent with Figure 7. The specification has been amended at page 18, line 21, to unambiguously recite that the peptide between amino acids 440 and 448 is located at the C-terminal region of the hap protein corresponding to the E region. These amendments merely clarify the text and do not introduce new matter into the specification.

Applicants have added claim 57 reciting a cloned DNA sequence encoding a polypeptide of *hap* gene. Support within the specification for this additional claim may be found on page 20, lines 13-22, and claims 4-9.

In the parent application, the Examiner rejected claims 4-9 under 35 U.S.C. § 112, second paragraph, as it is unclear how the sequences recited in these claims relate to the sequences claimed in claim 1. Claims 4-9 have been amended to render them dependent from newly submitted claim 57 and not from claim 1.

In the parent application, the Examiner rejected claims 12-14 under 35 U.S.C. § 112, second paragraph, as these claims lack the proper antecedent basis for a hybrid duplex molecule. Claims 12-14 have been amended to depend from claim 11, which provides antecedent basis for "hybrid duplex molecule."

In the parent application, the Examiner rejected claims 24 and 46 under 35 U.S.C. § 112, second paragraph, as it is unclear what constitutes a "portion" of the hap protein. Applicants have adopted the Examiner's suggestion by amending the claims to recite the functional limitation of a "portion encoding a polypeptide capable of binding retinoic acid and functioning as a receptor." Support in the specification for this amendment may be found on page 8, line 12; page 9, line 8; and page 17, lines 8-27.


In the parent application, the Examiner rejected claims 25-29 under 35 U.S.C. § 112, second paragraph, as these claims lack antecedent basis for "process" and depend on cancelled claims. Claims 25-29 have been amended to provide the proper antecedent basis.

In the parent application, the Examiner rejected claims 33 and 55 under 35 U.S.C. § 112, second paragraph, as it is unclear what is meant by a "portion of said DNA comprises the DNA sequences." Claims 33 and 55 have been amended and now recite "[a]n *E. coli* bacterial culture . . . containing a plasmid, wherein a portion of said plasmid comprises the DNA sequence. . . ."

If there are any fees not accounted for above due in connection with the filing of this response, please charge the fees to our Deposit Account No. 06-916.

Respectfully submitted,

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